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NMFS Webinar: Proposed Rule on Electronic Reporting of Trade Data

Presenters: *Christopher Rogers, Assistant Director, Office of International Affairs and Seafood Inspection*
Dale Jones, Fisheries Program Specialist and ITDS Program Coordinator, Office of Science and Technology

February 17, 2016, 2:00 pm CT

Coordinator: Welcome and thank you for standing by. All participants will be on a listen-only mode until the question-and-answer session of today's call. At that time you can press star 1 to ask a question from the phone lines.

I'd also like to inform parties that the call is being recorded. If you have any objections, you may disconnect at this time and I'd now like to turn the call over to Ms. (Kerry Turner). Thank you, ma'am, you may begin.

(Kerry Turner): Thank you and welcome, everyone. Good afternoon. My name is (Kerry Turner). I'm the Communications Specialist for NOAA Fisheries Office of International Affairs and Seafood Inspection.

And today we're here to discuss NOAA Fisheries' Proposed Rule for Electronic Recording of (tray deaths). This is the third of three public webinars on the Proposed Rule in the Federal Register that was published on December 29th and that Proposed Rule is open until February 29th for comments.

I know that we probably got a lot of diverse people on the phone that are interested in seafood in general so if your head starts to spin, don't worry about it. We've got a good long Q&A that will be following this and our speakers will be happy to provide further information and clarification.



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Before I introduce our speakers, I just want to go over a few things. One we know that everyone is on the WebEx. Just follow along. However, please do not submit your comments through that. We can't see the window and it's much easier if you enter into the queue on the conference call line and that's where we'll be able to capture your questions.

In addition to that, I just want to point-out if you end-up having some IT difficulty and you can't see the WebEx, we'll have a PDF of the PowerPoint loaded onto our website at nmfs.noaa.gov. In fact all of the information with regards to this rule in these discussions are being posted on that webpage.

And again you can find that by going to [N-M-F-S .noaa.gov](http://N-M-F-S.noaa.gov). On the left side of the page there's a programs tab. Click on the tab and go to "International Affairs. That's where you'll find a splash page where all of this information is contained.

The last logistic thing I want to mention is that this will not only be recorded but we will have it transcribed and posted to that webpage as well so if you or your colleagues want more information, please visit that webpage.

With that, let's introduce our speakers. We're joined today on the phone by Chris Rogers, Assistant Director for the International Fisheries Division with our Office of International Affairs and Seafood Inspection.

Chris will be taking you through the first half of the presentation and he will be followed by our colleague Dale Jones who is a Fisheries Program Specialist and our ITDS program coordinator for the Office of Science and Technology.



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Once Chris and Dale are done with the presentation, they'll turn it back over to me we'll will have the operator open it up for Q&A and give you instructions on how to get into the queue to ask your questions and with that Chris, I'm turning it over to you.

Chris Rogers: Okay, thank you (Kerry), good afternoon, everybody on the Webinar. I have a slide up overview of the presentation and we're going to do an introduction to the international trade data system, an overview of the three National Marine Fisheries Service programs that we're posing for integration into the ITDS.

A description of the transition (unintelligible) consolidated trade permit, I think the message-set requirements, the document image system requirements and then how entries will be processed in ACE that's the Automated Commercial Environment setup by Customs and Border Protection.

Then we'll talk a little bit about responsibilities under these new protocols and the separate responsibilities for the importer of record, the MQ filer, software developers, and then we want to make a pitch for pilot testing of the message sent in the document imaging system for all three programs and then as (Kerry) said we'll have a Q&A period probably at least a half an hour.

So the next slide, Why is the International Trade Data System required for National Marine Fisheries Service? First off the Customs Modernization Act of 1993 established a national Customs automation program and this is being implemented by Customs and Border Protection.



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As Customs and Border Protection said ITDS is the concept the International Trade Data System but ACE is the mechanism the information technology solution to implement the ITDS.

Sometimes you'll see it as ACE/ITDS, ACE is the Automated Commercial Environment through which the information is passed.

Further to the Customs Modernization Act the Safe Port Act in 2006 mandated that each of the federal agencies that are responsible for making admissibility decisions must do so through participation in the ACE ITDS program.

In other words, collecting information through that single window afforded by ACE ITDS and then subsequent to that the Executive Order of February 19th, 2014 on streamlining the export-import process mandated use of the single window by all agencies by December of 2016 so that's the timeline that we're on so we have a mandate through several statutes as well as an Executive Order but why is NMFS involved?

Well, because the U.S. imports about 90% of its consumable seafood and several of those products or nations from which we obtain those products are subject to either import monitoring programs or embargoes and therefore we do have (unintelligible) rule as a federal agency and are then mandated to use that single window process.

This is the diagram that we borrowed from our colleagues at Customs. It's the ITDS model. It's paperless and it's a single window. If you look at the left side of the diagram shows the existing process where there's an indication of paper being passed back and forth between what are labeled as PGAs.



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Those are partner government agencies and the trade and then arrows back and forth with Customs, Customs and participating or partner government agencies so it can be quite convoluted process in the paper environment. Paper being traded back and forth takes time to review, it takes time to receive and slows down the entry processing.

Under the single-window vision with ACE ITDS you can see the simplified version. There's no paper there. It's electronic transmission through the single window ACE, the automated commercial environment and all the partner government agencies as well as the trade.

So the trade will communicate through ACE and all the partner government agencies that have a role to look at and evaluate information and make release decisions, admissibility decisions will be getting that information through that single window.

Just some dates that are important under that Executive Order to streamline the export-import process by December 2016, CBP has setup some dates, the first date to the left side of this figure has passed, mandatory use of ACE for electronic manifest filings. November 1st has already passed as well.

That was the transition period at the beginning for electronic filing in ACE for those individuals and companies that are ACE-certified for certain entry types and setup a process for pilot testing and we'll talk a little bit at the end about the NMFS pilot test so the partner government agency data is able to be submitted if a pilot test has been setup for that agency as of last November.



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February 28th the end of this month ACE must be used because the Legacy system the automated commercial system ACS will be turned off and ACE will become the system of record so that's a very important date for those who are making their transition from ACS to the ACE environment.

And then subsequent date in July of this year the agencies that are ready - National Marine Fisheries Service being one of them - will start to collect their information through the ACE portal. Again we're in the period of a pilot test at this juncture and we're looking for volunteers so we can test the message set in the document imaging system before it is made mandatory in July.

October 1st 2016 to the right side of the figure is the mandatory use of ACE for all electronic processing for (unintelligible) so some very important dates. They're coming-up fast and it's important for folks to understand the requirements and do what they need to do as the individual entities are required to make that happen and we'll go through that in a little bit.

So our proposed rule is basically changing the regulations that already existed for a paper processing for certain products that was required under three programs so NMFS is proposing under this rule to ACE ITDS single window for both the collecting its data that it needs to evaluate admissibility at the time of entry.

So entries are filed for these three existing paper-based programs, what we call Highly migratory Species or HMS, Antarctic Marine Living Resources or AMLR, and the Tuna Tracking and Verification Program TTVP, so these three existing programs have a paper-based submission through the National



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Marine Fisheries Service that we use to track and evaluate admissibility for inbound shipments.

So usually after release and we are trying to move that up - or not trying to - we will be moving that up through the entry processing by collecting that information electronically through the ACE single window.

As part of this program, we're changing the nature of importer permits that are required. The importer permits are currently required for the HMS program and the AMLR program but not the TTVP.

In order to make it easier for these imported public to be educated about these requirements - the data that are required and the processes for submitting that data - we're going to issue a single consolidated permit for all three programs so that will be one simplification insofar as one consolidated permit will cover all of the products under all three programs.

So the rule itself again has the importer permit and the data message set as we call it submitted at entry and any supporting documents that are not going to be captured as data are going to be submitted through the document imaging system and the ACE portal.

So the three programs as I said highly-migratory species covers tuna, swordfish, Antarctic as primarily toothfish import programs sometimes known as Chilean sea bass and then the tuna tracking and verification program is used for determining that product is labeled as dolphin-safe under the Dolphin Protection Consumer Information Act and the Marine Mammal Protection Act.



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So these three programs cover approximately 35 harmonized tariff schedule codes or other marine products imported and exported. There are over 700 harmonized tariff schedule codes affecting or describing marine fishery products, would not require the international trade permit nor the submission of any additional data or three of the message set or the digital imaging document.

So it's limited to these three existing programs that we're converting to ITDS. I would note however that there was a recent undertaking on the part of the Obama Administration a task force was created on combating illegal fishing and seafood fraud so additional seafood products are being proposed under a separate rulemaking for inclusion in information collection and also the permitting requirements.

That rule itself has been published and is out under a separate commenting period and you can see that in the link on the bottom, iuufishing.noaa.gov is a good link to get more information about that program.

But it's important to note that for each of the programs, there is a specific list of tariff codes that are effective. Now moving to the next slide, the primary product cover by the programs, as I said there are tunas and swordfish and Antarctic toothfish. These paper documents are under the current regime submitted post-release directly to the National Marine Fisheries Service.

The documents attest to the circumstances and conditions of that harvest event so we can evaluate that it was lawfully acquired and meets all of the requirements for an admissible entry into the U.S. market.



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As I said NOAA form 370 is fisheries certificate of origin, can screen yellowfin tuna imports if they originate from embargoed countries and would not be admissible if they are from an embargoed country so we use that program to screen yellowfin tuna imports.

In addition to the determination that the dolphin-safe label is warranted for those products so under ITDS rather than the paper being submitted post-release directly to NMFS, the information will be collected at the time of entry, entry summary processing in ACE either through a message set or through document images.

So this last slide is just a graphical presentation of what I've gone through that we're making the transition to the single window. We're going to use interoperable Web services to automate system-to-system communications with Customs and Border Protection.

We'll utilize secure file transfer protocol to receive the information that is filed in ACE on the NMFS side and we will be able to view that information in near real time in order to make admissibility decisions. The rule will also consolidate the NMFS trade permits that we have currently into a single unified consolidated trade permit that covers all the commodities for which we'll be collecting information at entry.

For those pieces of information that we will (unintelligible) setup as a metric set, we will collect those through the data imaging system as part of the ACE portal and we will utilize both the message set and the image files to make that admissibility decision as I said in near real time as the entries and entry summaries are filed in ACE.



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At this point I'm going to turn it over to Dale Jones who's going to go through a little bit more detail on the message set requirements.

Dale Jones: Okay, could I ask you to page back up to Slide 5 for just a minute? You just hit the page up button, it'll go right back up to it. Okay. Yes, okay, you're looking at a slide Chris covered and I just wanted to highlight something on this. There's just been a very recent change in terms of the center date there with February 28th being a deadline.

Customs is working very hard to try to orchestrate a smooth transition between their old system the ACS system and the new system ACE and part of that of course is a big part of it is having the trade groups and users ready to actually take advantage of that and to use the ACE system.

But in order to ensure that that transition is orchestrated smoothly, they recently made some decisions that they will be withdrawing some of their support and assistance with ACS away from ACE but they're softening this date somewhat of February 28th.

So I'd point to the very top of the page where you see the words the CBP ACE countdown and if you look under there, there is an actual link that if you were to a Google search or check your system within the CBP contact, you can find these dates and CBP further explains on their websites just how this will be worked or used.

And we also mentioned earlier where you can find this information on the international [affairs] website here at National Marine Fisheries Service and there are some papers there that also give you some detail so again I'll have some comments later where you can contact me as well if you have questions.



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But I just wanted to highlight that date and remind everyone or let you know at least that that date has softened somewhat but still it's a critical date and time sensitive and it's something that needs to be resolved very soon if not immediately by trade persons that want to use them so let's go ahead back down to the Slide 10.

Thank you, so what I'd like to do is reiterate a few other points with this presentation. What I'll be doing is walking you through a little bit of detail on how this will actually work for those of you who want to get their head wrapped around what the software looks like or have some better understanding of it already.

But I would just remind you that at the higher level, what we're really talking about here is when you file your entry or your entry-entry summary for an import and part of this will ultimately relate to exports as well, that they will be run through the ACE system also.

And when you do that, you'll be really filing in the future three different things electronically. The first set will be the standard system that you already used which is the entry-entry summary data for Customs on any product regardless of what it is.

Then the next set will be new and that's what we refer to as the message set. When you look at the screen that's up right now, that is some detail about what goes into that message set for one of our three programs for the HMS program and I'll talk a little bit more about that in a minute.



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But it's just important to understand that the message set then is the second part and then the third part is the document imaging system DIS as it's referred to and essentially what happens with DIS is a PDF copy of these various international forms that Chris mentioned would be submitted to Customs and then forwarded on to us later for our review after the fact on those.

Now there's been some question in the past as to whether or not there is data that's collected in the DIS images that could also have been already collected in the message set and to a certain degree that is true but what we've tried to do with this message set is to limit it to collect only that data that's necessary to be collected at the front-end of the filing.

So that when you file your entry-entry summary, then add-in the additional requirement that we have through the message set that you'll only be providing that data that's necessary to make an immediate electronic and automated cargo release decision on your product so that it'll keep things moving faster and that persons at your facilities don't have to keystroke in any more than they need to.

Then the rest of the data which is a lot more detail we'll collect off these international forms through the document imaging so therefore you can either upload the document images through use of the ABI system, the automated broker interface to file or in some cases you will be able to e-mail those to Customs as well and Customs has a proscribed message that you put on the subject line and then be able to send that forward using that information through e-mail versus the upload.



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So again this first page really talks about what's required and gives you some detail about the types of things that we will ask for in a message set so for example if you look on the left column there and it says PG 14, that shows that you would enter-in a license or a permit so in this case it'll be a permit.

And as Chris mentioned we've a combined our 3 permits into one or two existing permits into one, a third permit which would be international fisheries trade permit so that regardless of what products you're importing, you'll be able to use that same permit number whether it's tuna or swordfish or toothfish, it won't matter. You'll use that same permit for all three programs, same permit number.

So then the PG 22 record, it talks about the images that you provided. There's a reference document that's called the Appendix PGA that has all the forms listed in it and it tells you so for example if you're submitting an international form that's considered an (ICCAT) form, there'll be a specific number that's assigned to that and you'll use that number to keystroke-in.

And again we're available to assist with this, if you don't have a software developer already, you'll need to identify who's going to develop your software for you to be able to provide this information and I would also say that the automated broker interface is supported through the use of a system called EDI, electronic data interchange.

And not to get into too much detail, your software providers will know what that is and if you're already using ACE to file electronically, it's exactly the same thing. You're just adding a new set of information when you do that.



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So again your software providers or your brokers' software providers will be working with that if they're not already in this case so I'll drop down to the next slide. The next slide just gives you a graphic on what it would look like to take the information from the previous slide and to enter it into the message set so at the top you see a grid.

It's an 80-character grid and what the message set does is it actually provides the information in certain lines behind those PG records that you see down in the left-hand side of the grid so that tells us different things about the shipment.

So in other words if you look at the list here under the PG record elements, a PGO 1 tells us that this is fresh swordfish and it tells us which program you're providing it under, the HMS program. You go to PG0 6 the next record, it tells us about the harvest of that fish, where it was harvested.

This particular example was harvested in Canadian waters in the North Atlantic so if you look up there at that grid you'll see a PG0 6, HRV means harvest, CAN is the code for Canada and the AT is the Atlantic Ocean so it tells us just where that particular fish was harvested.

Then if you follow that gridline out to the right, you'll see way out in the 40-character set range two Ls. That stands for long line so it tells us that this particular fish was harvested in the North Atlantic in Canadian waters using long line gear to harvest it so that's the type of thing that we're collecting. Then next is the permit number, PG 17 is a common name that we'll collect.

That's fresh swordfish and again as I mentioned the 22 record tells us about the documents that are provided through DIS and then the PG 31 record tells



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us about who harvested the fish so this case we collect the vessel country or the flag if you will of the vessel in this case it's CA which again stands for Canada.

So that gives you an idea there about the HMS program which will be primarily swordfish and tunas, certain tunas so then we move to Slide Number 12 and this is a much smaller message set for the toothfish program and what I'll just indicate and highlight there is under toothfish we have two primary message sets that would come in.

The first one would deal with frozen toothfish and that will be very simple and straightforward. We will not collect a lot of information on that because we have a preapproval program in place and if any of you import toothfish you're already familiar with that.

You send-in your documents that are required internationally through one of our offices up to 15 days in advance of their arrival of the shipment and then you get an authorization number and in that case if you're importing frozen toothfish the only thing you're going to enter is some descriptive information about the shipment at the beginning.

And then you'll be providing some data about the permit that you have and then you will also provide that authorization number that's been provided and the weight of the fish that's on that so we'll check those against reference files to assure that those are valid permits and authorizations for the import of that amount of frozen toothfish.



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For the fresh air-shipped toothfish, again just because of the timing of that coming-in immediately, we'll collect the paper documents on that and we'll have those actually scanned into the system in the DIS and sent to us.

And we'll collect a little bit of information in the PG 22 record about what those documents are and the specific unique numbers on each of those documents because toothfish documents come and are issued in that manner to authorize the original fishing. Next slide.

So this slide gives you an example again of the grid of how that would be placed in. The picture of the document that you see on the right side is the preapproval that I just described. In the past you would have had to have submitted a copy of this and in paper, sent to Customs and us.

And in this case what we're going to do is just only require that you submit the approval number in the message set, in this case we are not even going to require a copy of the paperwork because we've already issued it to you so we really wouldn't need you to do that.

So I'll flip over here to the next slide on Page 14, Slide 14. This is the NOAA 370 program or as it's referred to as the TTVP, the tuna tracking verification program. In this case we're probably going to be requiring the most detail because to authorize the entry of this particular product, we're going to need more detail about this harvest and we're going to need some copies of not just the 370 forms and almost always the captain's statement that comes along with it.

And then we're going to ask you some details about what was checked-off in that particular form so again I won't go through this in detail. I think you have



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the idea of how this will work and again when we get to a more appropriate situation if you want to, I'm happy to sit down on the phone or talk with anybody about how this particular message set will work or any of the three of them for that matter.

So with that I think that that covers the primary things that I wanted to raise with folks and to let you know I would also emphasize a couple of other key things. One is that on almost every product not every but almost every product that you would file information for for the National Marine Fisheries Service you will have to file an FDA prior notice.

The Food and Drug Administration requires prior notice on any consumable food product so these three programs that I'm talking about, HMS, highly-migratory species, the toothfish program or the AMLR program as it's called and the 370 program in these cases you would have to file a 370 message set along with the actual documentation that we would ask you to file.

So that's coordinated together. The other thing that I would mention is to get you onboard and if you're ready to go with this and you're talking to your broker or if you file yourself, you need to talk with your CBP client representative and again that information is available to you.

We can provide that for you but it'll be in that paperwork that you can find on the NMFS Website but those clients reps will help start you with the process and what we like to do is get people in to have them do some testing of the software that they've developed in what's called the CERT environment or the certification test environment.



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And then after that we'll pull you right in to a production level testing so we'll run actual shipments through the system and basically sort of walk you through it for the first couple and then you're set and good to go once you have those through and working so that said I will turn it back over to these folks and wait for questions.

Chris Rogers: Excuse me, just one last slide to differentiate the responsibilities of the individuals, go back to the previous slide please, yes, responsibilities under these new protocols. The importer of record would be the entity responsible for obtaining the fisheries' international trade permit and to provide any data or documents to the Customs broker.

Of course if you're an importer doing your own entry filing, you would serve both roles as the importer of record and the entry filer but if you were as an importer are using a Customs broker, the Customs broker would submit the data and documents via ACE and the document imaging system.

Software developers would prepare the software as Dale indicated in those very specific grids and the message set requirements to develop the software to enter the data from the forms in to the format necessary to submit and be interpreted properly by ACE and transmitted to the Fisheries Service.

So the software developer would not only develop that software but certify that the message was being properly transmitted in the ACE environment. As we indicated we're in that transition period and it's very important for us to work with entry filers to test that message set and the DIS for all three of the programs that are covered by this rule.



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And we would kindly ask everybody who's interested and available to try to get in contact with your CBP client representative and see what you need to do to begin participating in the pilot testing. The system can take that message set at this point in time and we really want to get a few more examples.

I think we've had very limited testing thus far, less than a dozen entries and it would certainly be very helpful for us to have more experience with that message set to make sure that we understand what the needs are from the trades perspective.

So the next slide so here's a slide as was said before by (Kerry), this is posted on our website, some very useful links to get more information normally on ITDS itself but on the rule, commenting on the rule and then pilot testing in ACE so with that we'll open it up for questions and comments and I think (Kerry) will review the queuing process to get in the line for Q&A.

(Kerry Turner): Thanks, Chris. Well, lots of information here folks and this is the proposed rule and I know that Chris and Dale are looking for questions and this is a great opportunity to really even help guide Chris and Dale and the program and what kinds of questions and what we need to begin to prepare for in terms of outreach and training and all those kinds of things that are down the road ahead.

So I just want to open-up for Q&A. Just as a reminder, please give your name and affiliation before asking your question. Operator, if you could just give everyone the instructions again and how to get into the queue?

Coordinator: Absolutely. At this time if you would like to ask a question from the phone lines, please press star 1. You will be prompted to unmute your phone and



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record your name and affiliation at the prompt. Please do so so that I may introduce your question. Once again it is star 1 to ask a question. One moment, please, for those to come through. We have a question from (Rick Tanelli) with (Master Cargo). Your line is open.

(Rick Tanelli): Yes, I'm just wondering how the importer would go about applying to the National Fisheries trade permit? Is there somewhere on your Website?

Chris Rogers: Yes, this is Chris Rogers. We haven't set it up yet. When the rule is final, we will have a website and we'll issue that with the instructions for the final rule. It will be what we call the national permitting system. It's automated, self-service, Web-based system that we would use to issue the permit.

So we'll give all of that information prior to issuing the final rule and its effective date on how to obtain that permit but it will a web-based application process, self-service, available 24/7.

(Rick Tanelli): And then would be still be able to test without that permit number though?

Chris Rogers: Yes, yes, you can test. Currently we haven't formally programmed the new permit requirements into the system yet because the rule is not final.

Dale Jones: Yes, this is Dale. What we will do if you are ready to pilot-test or even at the CERT environment, for the CERT environment we have a couple of actual just general use permit numbers that everyone can use just for that to test it through but we'll go through an actual test itself and we'll walk you through that and Customs will be aware that you're going to place the filing and they have the mechanism to be able to waive that specific permit.



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But let me remind you though, with that question is that the HMS permit - the Highly Migratory Species permit - and the permit required for AMLR are both valid current permits and so if we were to actually doing a pilot test with you and you're importing under one of those two programs, we would be asking you to provide your actual permit and you should have that already now.

This switch to the new permit the blanket permit or the consolidated permit, if you will, will occur along with the rulemaking and then at that point in time is when the AMLR permit and the HMS permit will no longer be used and will convert over to this international fisheries trade permit, the IFTP. Hopefully that answers your question.

(Rick Tanelli): Thank you.

Coordinator: The next question comes from (Doug Boston) with (Pacific Seafood). Your line is open.

(Doug Boston): Yes, I guess my question would be for Dale Jones I guess we have different types of our business do importing that I think that we can get a handle on but how does it effect on domestic highly-migratory species and tuna tracking and I don't am not quite sure as far as the message set and the timing of filing that message set before we can move the fish.

Dale Jones: None of this would actually apply to anything that occurs domestically so if you actually harvest a Bluefin tuna and its transactions are all here in the United States and in the U.S. marketplace, then none of this would actually apply to that including the international trade permit.



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However, if you've harvested domestically and you're preparing to export it, at that point is when you'd have to have the capability of creating the message set and then exporting under the act, saying again once the rule goes into effect, exporting under the new permit number currently would use the HMS process to do that.

Now I think if you're dealing or your folks that deal with Bluefin tuna will be aware that there are some separate requirements for tracking and catching Bluefin tuna and reporting on that domestically with the Bluefin tuna catch document being completed and then I think biweekly reports being provided on any harvest of those.

And they are rolling moving to electronic system. Chris may want to say a little bit more about that in the very near future but again until such time as it's exported, none of that really relates to the export process if it's harvested domestically.

(Doug Boston): I understand, and another question, if we have multiple importing locations and we need to centralize the ABI system so that we can submit through the ACE location or portal, do we need to have one or can we have several locations or how do we do that?

Chris Rogers: You could actually again that depends on how you setup your ACE ABI system access with Customs but you can have as many accesses as you need to I believe with that and you would just still basically enter the same information and if it's one company and one permit you would just you would use that same permit.



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So as you know when you entry-entry number, your first three digits of your entry are the filer's identification and those might change depending on who's filing but the entry-entry summary information will essentially be the same as it is now.

If you're filing paper, it will just be filed electronically through the ACE system so I don't think there'll be any question that you could be able to file from as many places as you can setup the ABI access with your company to Customs.

(Doug Boston): Okay, thank you very much.

Coordinator: Our next question comes from (Rick Iaposi) with (Comerica International). Your line is open.

(Rick Iaposi): Thank you, good afternoon. Currently with the TTVP program our entry does not get stopped. It's really more of a paperwork submission, you know, we can bring that product right into commerce. With the new program going forward, will we have to wait for a positive response back from you before we can ship that product?

Dale Jones: Actually, no. You should get that immediately. If anything again you have to file the FDA prior notice at the same time as well and if there's a problem with it, you might get a "reject" back on your filing so for example once we require the permit, if you didn't have the right permit number or didn't include a permit number.

But for the most part, we'll be asking you to provide that. Once the basic date is provided in that message set, there'll be an electronic decision that occurs



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almost immediately and you'll have that back and it should not tie-up your shipment at all.

In fact I think in most cases that those decisions will be made in an automated manner electronically probably even before your product is close to hitting the docks depending on when you file.

(Rick Iaposi): Great, thank you.

Chris Rogers: Yes, this is Chris Rogers. Just to clarify, I know Dale said it but to be abundantly clear, if you didn't file any of the information in the message set, the entry would be rejected, but if you file the information and it meets the formatting requirements, then it will be an automated release process.

(Rick Iaposi): Okay, understood. Great, thank you.

Coordinator: Our next question comes from (Ben Fredis) with (The Wildlife Fund). Your line is open.

(Ben Fredis): Hi, thank you for the opportunity to speak. [Intelligible] traffic are excited about the development of ACE and ITDS and the proposed rules for the electronic reporting of fish and seafood catch documentation.

The electronic collection and submission of catch information is one of the key tools to combat fraud and prevent the flow of IUU products. The electronic collection of reporting of the trade did it through a single portal will also reduce the public reporting burdens for the seafood industry and the agency of data collection costs, improve the timeliness and accuracy of



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admissibility decisions and increase the effectiveness of applicable trade restrictive measures.

Electronic monitoring of information will also ideally allow for the screening of products to be more easily conducted to detect possible trade flows of IUU products.

While there may be a need for capacity development through assists in some countries in implementing the new rules, we hope that NOAA, US (unintelligible) and other agencies are able to work with countries to help develop electronic reporting systems that can produce the information needed at the point of catch and feed into traceability systems that will follow the products throughout the supply chain.

These rules are a welcome addition of the tools available to combat IUU fishing. We hope that within the parallel task force process that similar requirements for electronic submission of catch documentation will eventually be applied to all species to effectively help combat fraud and flow of IUU products. Thank you.

Chris Rogers: Thank you.

Coordinator: Next we have (Christine Solinski) with (Vandergrift Forwarding). Your line is open.

(Christine Solinski): Good afternoon. Not sure if you can really answer this for me just yet. I'm just curious about the additional commodities that are going to be designated at-risk species and will those commodities just require additional data



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elements be reported or will the agency require some type of, you know, catch form so that they can be uploaded into the DIS?

Chris Rogers: Okay, that rule has been published and you can find it at ..

Kerry: IUUfishing.noaa.gov.

Chris Rogers: IUUfishing.noaa.gov. There's a link to that rule. It's going to work very similar to what was presented for the three existing programs. There'll be a few more tariff codes that will trigger the information requirement. We mentioned that for these three existing programs, there was about 35 tariff codes affected.

There's about 80 affected for the seafood traceability program. The parameters of that program will be very similar to what was presented here in terms of the international fisheries trade permit would be required for the importer of record for those commodities.

A message set would be required and/or images would be submitted in the same way as we described for these three agency programs. Under that proposed rule, we will have a webinar about that one tomorrow at 3:00. If you want to go to that website, [iuufishing.noaa.gov] we'll go through that program in greater detail.

But basically it's the same parameters as we've presented for these programs, permit for the importer of record, a message set requirement and/or document imaging. Your particular questions about a form requires, under that proposed rule we're being very flexible to allow the trade to build electronic systems or use forms as they see fit.



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We have released what we call (unintelligible) forms with that proposed rule. Those forms could be used but we're not mandating that they be used. In other words if a company is managing its supply chain wanted to use an electronic scheme to collect and provide that information electronically, that could be done as well.

(Christine Solinski): Okay, thank you.

Coordinator: At this time we're showing no further questions. Again as a reminder it is star 1 to ask a question.

(Kerry Turner): While we wait a minute for any additional questions just wanted to repeat that website that Chris mentioned. It's iuufishing.noaa.gov. Again that's iuufishing.noaa.gov.

Coordinator: We do have an additional question that has come in from (George) with (American Shipping). Your line is open.

(George): Yes, I'm curious about filing as it relates to O2 entries. Are we on hold until O2 entries are brought into ACE?

Dale Jones: This is Dale, yes, that's correct (George). There will be a whenever they actually release that piece of the production under ACE, then you'd be able to start testing that and then filing through the quota or O2-related filings for those primarily with us it's going to be tuna as I'm sure you're aware.

(George): Right.



- Dale Jones: So and I'm not certain of what that release date is. I think it's coming-up in the very near future but again I'd have to check that with Customs.
- (George): Okay. (Unintelligible) O2 entry but still file the new PGA set for the fisheries?
- Dale Jones: Well, until if it's product that's of an ACS code that falls under the quota system, currently you'd just continue to file it exactly as you do now. They transition into the ACE environment you would file. You would have to in this overlap time period or transition time period, you would have to file your entry-entry summary through ACE once we hit that mandate point with Customs.
- And then until such time as they've released the O2 and have the capability for us to file a message set, you could still file your NMFS information the way that you do now for the current paperwork so again I hope that's not confusing but Customs will come-out in the future with that O2 release and at that time you'd be able to file it all together.
- (George): Okay, thank you.
- Coordinator: We do have an additional question that just came in. One moment for the name. It does not have a recorded name but if you press star 1 to ask a question, your line is now open.
- (Lisa Weddick): Hi, thank you, this is (Lisa Weddick) with the National Fisheries Institute. I have a question about the international fisheries trade permit. Could you explain again how that permit will differ from the existing permits for the HMS and the AMLR program?



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Chris Rogers: Okay, thanks for the question. This is Chris Rogers. As we begin to monitor more products and particularly monitoring in the electronic way, we realize that proliferation of permits by species or program would be onerous for the trade so as part of this rulemaking and the subsequent rulemaking on seafood traceability, we're consolidating all permits for importing and exporting requirements into a single what we're calling the IFTP or international fisheries trade permit.

That will make it easier. Only one permit would be required to cover all these commodities that are subject to import and/or export monitoring and that permit will be obtained through our national permitting system. As we said, that's a web-based system. It will be available 24/7, self-service. Just enter your information, pay the permit fee and basically print-off the permit.

That information will be made available in an automated way, in what we call a reference file of that permit in the system will be made available to Customs and Border Protection as a reference file in ACE so as you make an entry and that message set requires the importer permit number, that permit number will be validated against the reference file already resident in ACE. Does that answer your question?

(Lisa Weddick): Yes, just a follow-up question so is the information that the importer record needs to provide to obtain the permit, is this the same type of information going to be required?

Chris Rogers: Yes, basically, the rationale for the permit is not to limit in any way the number of importers or exporters. What we're trying to do is just get basically contact information in an automated way so that we can validate that the well



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first assure the importers-exporters that they understand the information requirements and the process for making the entry filing.

And then validate that permit against the entry filing so that we know that they permit is a valid permit.

(Lisa Weddick): Great, thank you.

Coordinator: Next we have (Cathy Beltran) with (Customs Brokerage). Your line is open.

(Cathy Beltran): Hi, there. Now I think this whole process I've learned that the permit is a new requirement, correct?

Chris Rogers: Yes, you were breaking-up a bit on the audio. You were saying is the permit a new requirement?

(Cathy Beltran): Correct, yes.

Chris Rogers: Yes, well we do have an existing permit for two of the three programs. What we're proposing is to add the current requirement to the third program, the tuna tracking and verification program so rather than formally create a different third permit, we're saying that one permit a consolidated permit would be valid for all three programs so all of the commodities that would be covered under the three programs that we talked about today would be covered under the consolidated international fisheries trade permit.

So one permit would be required for all three programs, all of the commodities covered under those programs and in fact the separate proposed



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rule for the seafood traceability is also making use of that same concept, the consolidated international fisheries trade permit.

So all of the HTS codes that would require a permit will be keying off that same permitting program, the same permitting process and as I said, the reference file of valid permits will be provided in real time to the Customs system.

(Cathy Beltran): Understood and will importers that were already filing, did they receive some kind of notice?

Chris Rogers: Yes, we mailed-out a notice to all importers of record and entry filers for all of the commodities affected under these three programs. I would say about four weeks ago so an individual copy of the proposed rule itself and also a fact sheet on the things that people need to do to be prepared for ACE entry filing.

We will obviously put more information out via our web sources when the rule is final and obviously work with those who currently have permits who convert those permits to the new consolidated permit.

(Cathy Beltran): Okay, thank you very much.

Dale Jones: If you don't have it, again, you can find a copy of that international affairs fact sheet on the National Marine Fisheries Service Website under the international programs. There'll be a copy of that there you can download.

(Cathy Beltran): Good to know, thank you.

Coordinator: And we are showing no further questions at this time.



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(Kerry Turner): Well just to repeat, the Web slide information that Dale and Chris had mentioned, where it had the fact sheets and information and links to the rule you can go to that nmfs.noaa.gov. Also information in terms of the [iuufishing](http://iuufishing.noaa.gov) Web portal that was at iuufishing.noaa.gov.

Well, everyone thank you so much. We really appreciate your time and again we continue to look for your questions and information on the screen, contacts, you can contact (Mark Wildman) for questions or comments and we are anxious to get your feedback. Thank you all for joining us and have a great day.

Coordinator: Thank you. That does conclude today's call. Thank you all for participating. You may disconnect your lines at this time.

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